

**IN THE UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JAMES E. TAYLOR,)	FILED: OCTOBER 24, 2008
)	08CV6102
Plaintiff,)	JUDGE PALLMEYER
)	MAGISTRATE JUDGE BROWN
vs.)	CH
)	
UNITED STATES OF AMERICA,)	
DEPARTMENT OF VETERAN AFFAIRS, and)	
JESSE BROWN V.A. MEDICAL CENTER)	
Defendants)	

COMPLAINT AT LAW

Now comes the Plaintiff, JAMES E. TAYLOR pursuant to 28 USC 2679, and complaining of the UNITED STATES OF AMERICA, states as follows:

1. A cause of action arises from the medical negligence of the surgeons; Miguel Teresi, M.D., Dustin Fanciullo, M.D., and Mark Faasse, M.D. performing and surgery on JAMES E. TAYLOR, on October 26, 2006 to remove a foreign body and incisional hernia while they were all employed at the Jesse Brown Veteran's Administration Hospital in Cook County, Northern District of Illinois Eastern Division.
2. At said time and place the aforesaid surgeons, nurses, and medical staff, left the segment of a drain in JAMES E. TAYLOR'S abdominal cavity.
3. On all times complained of surgeons; Miguel Teresi, M.D., Dustin Fanciullo, M.D., and Mark Faasse, M.D. , nurses, and medical staff were employees of the

Jesse Brown Veteran's Administration Hospital, and were all servants and agents of the United States of America.

4. That the surgeons; Miguel Teresi, M.D., Dustin Fanciullo, M.D., and Mark Faasse, M.D. , nurses, and medical staff held themselves out to be experts in the field of abdominal surgery.
5. That on April 20, 2007, surgery was performed on the Plaintiff, JAMES E. TAYLOR, to remove the foreign body, which was found to be a piece of a Penrose drain with silk suture that was used during the surgery performed on October 26, 2006, to removal a foreign body and incisional hernia resulting from an appendectomy on or about April 20, 2006.
6. Notwithstanding that during the procedure of October 26, 2006, surgeons; Miguel Teresi, M.D., Dustin Fanciullo, M.D., and Mark Faasse, M.D. , nurses, and medical staff participated in the removal of a foreign body and incisional hernia , the said doctors carelessly and negligently left a segment of a drain intended to removed the previous foreign body in the Plaintiff's abdomen.
7. That as a direct and proximate result of one or more of their direct negligent acts, The Plaintiff, JAMES E. TAYLOR, sustained severe and permanent injuries to his colon and abdomen continues to suffer pain disability, disfigurement as incurred, and will continually incur additional medical and hospital expenses in reference to the injury as otherwise permanently injured by the Defendants.

WHEREFORE, the Plaintiff, JAMES E. TAYLOR, prays for judgment against the UNITED STATES OF AMERICA in the amount in excess of FIFTY THOUSAND and no/100 DOLLARS (\$50,000.00), plus the costs of this action.

Respectfully submitted,

JAMES E. TAYLOR

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